

Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C.

FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2008 DEC 16 A 10:41

Re: MUR 6110

To Whom It May Concern:

This letter responds to the notification dated November 3, 2008 stating that the FEC received a complaint in MUR 6110 filed by Robert J Kabel of the DCRC alleging that Square Root LLC may have violated the Federal Election Campaign Act of 1971. The Complaint fails to assert any violation of the Act with respect to Square Root LLC, Square Root Sales or my personal involvement and should be dismissed immediately.

The Commission may find "reason to believe" only if a complaint sets forth sufficient specific facts, which, if proven true, would "describe a violation of a statute or regulation over which the Commission has jurisdiction." 11 C.F.R. §§ 111.4(m), (d) (2007). Unwarranted legal conclusions from asserted facts, speculation or mere personal interpretation will not be accepted as true, and provide no independent basis for investigation. See Commissioners Mason, Sandstrom, Smith and Thomas, Statement of Reasons, MUR 4960 (Dec. 21, 2001).

Mr. Kabel incorrectly suggests that Square Root Sales may have made an in-kind contribution to Obama for America and the Democratic National Committee by virtue of the appearance of the name and logo on an invitation to the Concert for Change fundraising event. Your cover letter also refers to Square Root, LLC. I am personally listed as a sponsor on the invitation. Consistent with my personal support for the event, the various versions of the invitations state, for example: "many thanks to our generous *individual* in-kind contributing sponsors" and "many thanks to our *individual* in-kind contributors (sponsors) affiliated with the following organizations." (emphasis added) The invitations recognize the individual contributors and provide affiliations solely for identification purposes. I made an in-kind contribution within the limits of the federal law from personal funds to support the event.

Square Root Sales, with which I am affiliated in the invitation, is a name and a logo for a team of real estate agents. It is not a corporation or a limited liability company. Square Root Sales made no contribution to the event. Square Root, LLC is a limited liability company. The LLC, however, does not appear on the invitation and was not involved in any way with the fundraising event. Square Root, LLC did make a contribution directly or in kind to the event. Senate Realty, which appears by my name in one version of the invitation, is a real estate firm where I, along with several colleagues, have our licenses. I am not an owner or principal of Senate Realty.

10044260582

I have rarely made political contributions and only agreed to participate in this event because the performer is a personal friend. I was not the organizer of the event nor did I produce the materials or invitations that were sited as Exhibits in Mr. Kabel's complaint. Moreover, the invitations went out almost exclusively by Internet and there was such a viral nature to the promotion of this event (friends telling friends, emailing friends) that it is highly likely that messages were edited and passed on without the knowledge of the organizer in ways that could very well have been unintended. I did not have an active role in distributing the invitations.

For the reasons discussed above, I respectfully request that the complaint MUR 6110 be immediately dismissed.

Respectfully,

  
Chase Alan Moore

10044260583